

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA ex rel.
CECIL G. JORGENSEN and ALLEN K.
GREGORY,

Plaintiff/Relators,

v.

ALAN RITCHEY, INC., et al.,

Defendants.

No. C00-2191Z

ORDER

THIS MATTER comes before the Court on several motions following defendant Alan Ritchey, Inc.'s offer of judgment and relator Cecil Jorgensen's acceptance of the offer of judgment pursuant to Fed. R. Civ. P. 68. Having reviewed all papers filed in support of and in opposition to each motion, and having considered the terms of the offer of judgment and the acceptance thereof, the Court now orders as follows:

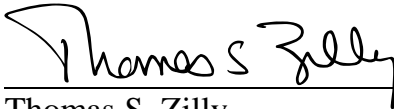
- (1) Relator's motion to enter judgment, docket no. 171, is GRANTED IN PART and DENIED IN PART;
- (2) Defendant Alan Ritchey, Inc.'s cross motion for judgment, docket no. 174, is GRANTED IN PART and DENIED IN PART;

- 1 (3) Judgment shall be ENTERED in favor of relator Cecil Jorgensen and against
2 defendant Alan Ritchey, Inc. in the amount of \$50,000.00. Relator shall not be
3 entitled to any other damages, penalties, fines, attorney's fees, or costs.
4 Interest shall accrue from the date of entry of the judgment at the rate specified
5 in 28 U.S.C. § 1961. The claims of relator Cecil Jorgensen against defendant
6 Alan Ritchey, Inc. are DISMISSED with prejudice. The claims of the United
7 States for the period from 1999 through 2002 are DISMISSED with prejudice.
8 The claims of the United States for all other periods are DISMISSED without
9 prejudice.
- 10 (4) Defendant Alan Ritchey, Inc.'s motion to stay relator's motion for summary
11 judgment, docket no. 177, is STRICKEN as moot;
- 12 (5) Relator's motion for summary judgment, docket no. 157, is DENIED;
- 13 (6) Defendant Alan Ritchey, Inc.'s motion for voluntary dismissal of its
14 counterclaims, docket no. 173, is GRANTED;
- 15 (7) Defendant Alan Ritchey, Inc.'s counterclaims against relators Cecil Jorgensen
16 and Allen K. Gregory are DISMISSED with prejudice and without costs;
- 17 (8) Defendant Alan Ritchey, Inc.'s motion to seal, docket no. 183, is STRICKEN
18 without prejudice; the exhibits described in said motion to seal were not
19 contemporaneously filed under seal in the Court's Electronic Document Filing
20 System ("CM/ECF") or otherwise provided to the Court for in camera review,
21 and the Court can make no determination whether such exhibits meet the
22 standards for the sealing of Court records; and
- 23 (9) All claims and counterclaims in this matter now having been resolved and it
24 appearing that no issue remains for the Court's determination, the Clerk is
25 directed to CLOSE this case.
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1 (10) The Clerk is further directed to send a copy of this Order to all counsel of
2 record.

3 IT IS SO ORDERED.

4 DATED this 16th day of July, 2008.

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7 Thomas S. Zilly
8 United States District Judge
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